

Wetlands Bureau Decision Report

Decisions Taken
03/06/2006 to 03/12/2006

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2005-01201 TOWN OF WHITEFIELD WHITEFIELD Johns River

Requested Action:

Dredge and fill 19,950 square feet (impacting approximately 846 linear feet) within the bed and banks of the John's River to partially remove an existing deteriorated dam, remove contaminated sediment, construct a rock ramp, and to stabilize banks that are currently eroding.

Inspection Date: 09/12/2002 by Craig D Rennie

APPROVE PERMIT:

Dredge and fill 19,950 square feet (impacting approximately 846 linear feet) within the bed and banks of the John's River to partially remove an existing deteriorated dam, remove contaminated sediment, construct a rock ramp, and to stabilize banks that are currently eroding.

With Conditions:

1. All work shall be in accordance with revised plans by URS Corporation dated February 9, 2006, as received by the Department on February 13, 2006; and in accordance with the revised plan sheet "G-1" dated March 8, 2006, as received by the Department on March 8, 2006.
2. This permit is contingent on coordination and approval by the DES Waste Management Division in regards to the proper disposal of contaminated sediments.
3. This permit is contingent on approval by the DES Dam Safety Program.
4. Prior to construction, the contractor shall submit to the DES Wetlands Bureau a detailed phasing plan for all in-stream activities.
5. The applicant shall notify in writing DES Wetlands Bureau and the Whitefield Conservation Commission of their intention to begin construction no less than five (5) business days prior to the commencement of construction.
6. In-stream activities shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer at all times to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. All in-stream work shall be conducted during low flow conditions and in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
10. All in-stream work shall be conducted in a manner so as to minimize the duration of construction in the watercourse. The DES Wetlands Bureau shall be notified in writing where in-stream construction exceeds 48 continuous hours.
11. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
15. Faulty equipment shall be repaired prior to entering jurisdictional areas.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. Overnight storage of construction equipment shall occur outside of the jurisdiction of the DES Wetlands Bureau.
19. Temporary cofferdams shall be entirely removed immediately following construction.
20. Stream banks shall be restored to a stable condition upon completion of construction and shall have at least 75% successful

establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established until a well vegetated bank is replicated in a manner satisfactory to the DES Wetlands Bureau.

21. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

22. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

23. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

24. For the duration of the approved permit, the permittee or a designee shall conduct annual follow-up inspections, to review the success and stability of the rock ramp design and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted to the DES Wetlands Bureau by December 1 of each year.

25. The permittee or a designee shall coordinate with NH Fish & Game Department biologist regarding remedial actions that may be necessary to allow for proper fish passage through the rock ramp.

26. A post-construction report documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within 60 days of the completion of construction.

27. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.

With Findings:

1. This project is classified as a Major Project per NH Administrative Rule Wt 303.02(i), as impacts within the bed and banks of the John's River are greater than 200 linear feet.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on September 12, 2002. Field inspection determined that the dam is severely deteriorated and that the bank next to Jiffy Mart is severely eroded, indicating that work should commence to restore the area as soon as practicable.

6. Mitigation shall not be required for the proposed impacts in accordance with Wt 302.03(d), as the impacts are temporary in nature and that the project proposes to restore a section of the John's River to promote water quality and fish passage.

7. Public hearing is waived with the finding that the project impacts will not significantly impair the resources within the John's River; in fact, the proposed activities will help to protect water quality and improve fish passage through this reach of the river.

2005-02123

PSNH - JACKMAN HYDRO, LYNN CROWELL, PROJ MGR

HILLSBOROUGH Unnamed Wetland

Requested Action:

Amend permit to reduce the permanent impact to naturally occurring wetlands from 2,629 square feet to 1,638 square feet and increase the temporary impact to naturally occurring wetlands from 10,879 square feet to 11,870 square feet as a result of elevating an additional 50 feet of the penstock on saddles through the naturally occurring wetlands.

APPROVE AMENDMENT:

Amend permit to read: Dredge and fill 51,833 square feet (1,638 square feet permanent impact to naturally occurring wetlands; 38,325 square feet permanent impact to artificially created wetlands; 11,870 square feet temporary impact to naturally occurring wetlands) of palustrine forested, scrub-shrub, and emergent wetlands, and artificially flooded riverine wetlands for replacement of a 2,390-linear foot section of an existing 4,900-linear foot wooden penstock with a fiberglass penstock and associated access for demolition and construction, Phase I of a two-phase project.

With Conditions:

1. All work shall be in accordance with plans by Todd Land Use Consultants dated December 9, 2005 (revised), as received by the DES Wetlands Bureau on December 15, 2005.
2. Any work on Phase II of the penstock replacement that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. The applicant shall submit, within one (1) year of the start of Phase I, a compensatory mitigation proposal prepared by a qualified professional per the requirements of Wt 800. The review of Phase II of the penstock replacement is contingent on approval of the mitigation proposal for the cumulative permanent impacts of Phase I and Phase II. If the project is terminated after Phase I (that is, Phase II will not occur), the mitigation proposal shall be for the permanent impacts of Phase I.
4. A post-construction report documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within 60 days of the completion of construction.
5. The temporary wetland impacts associated with the proposed work shall be restored in-kind by the end of the first growing season following the completion of Phase I.
6. The applicant shall prepare a report outlining the status of the wetland restoration and shall submit the report with the compensatory mitigation proposal.
7. Work shall be done during low flow.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Silt fence(s) must be removed once the area is stabilized.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
16. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. This project is a replacement upgrade of an existing serviceable penstock. The capacity and operation of the penstock will not change.
6. DES Wetlands Bureau Staff conducted a field inspection of the proposed project on October 7, 2005. DES's findings concurred with the findings of Todd Land Use Consultants.
7. The proposed work is being conducted in the utility right-of-way and as such, the applicant is not required to notify abutters in writing per Wt 501.01(c).
8. The applicant is preparing a compensatory mitigation proposal and shall submit the proposal within one (1) year of the start of Phase I. The review of Phase II of the penstock replacement is contingent on approval of the mitigation proposal for the cumulative permanent impacts of Phase I and Phase II. If the project is terminated after Phase I (that is, Phase II will not occur), the mitigation

proposal shall be for the permanent impacts of Phase I.

9. On October 6, 2005, the DES Wetlands Bureau received a letter from the Hillsborough Conservation Commission approving the application with conditions. Conditions regarding a proposed conservation easement will be considered during review of the applicant's compensatory mitigation proposal.

10. Of the total permanent wetland impacts, 38,325 square feet occur in wetlands that were artificially created and sustained by leaking of the penstock. Replacement of the leaking structure will change the hydrology by removing the primary source of water which sustains the wetlands.

11. Of the total permanent wetland impacts, 1,638 square feet occur in wetlands that are naturally occurring, that is, the hydrology is not dependent on water leaking from the penstock.

12. Of the total wetland impacts, 11,870 square feet are temporary impacts associated with demolition and construction.

13. In June 2003, the wooden penstock ruptured impacting approximately 10,000 square feet of emergent and scrub-shrub wetland including erosion, uprooting of vegetation, siltation of wetlands and nearby streams, flooding and erosion of private property, roadway erosion, and stream bank erosion. As leaks in the penstock have increased, the need to replace the wooden structure with a fiberglass structure has become a matter of public safety. DES Wetlands Bureau Staff performed a site inspection and issued an Emergency Authorization for impacts associated with the repair of the penstock. A restoration plan was also authorized to restore impacts associated with the rupture.

14. Nearly the entire penstock currently sits on saddles with over 70 percent of the total length in an excavated trench.

15. Two areas along the penstock corridor were identified to host contiguous and expansive naturally occurring wetlands. In each of these areas, the penstock will be elevated above grade on saddles, one section 240 feet in length and the other section 20 to 30 feet in length. This design will allow water to flow under the penstock maintaining the hydrologic connection between the wetlands on the north and south sides of the penstock. The design will also permit small wildlife, particularly reptiles and amphibians, to pass underneath the structure between habitats on the north and south sides of the penstock.

16. The penstock will be buried and vegetated for approximately 20 feet in a third area to maintain the connection between habitats on the north and south sides of the penstock.

17. Changes to the permanent and temporary impacts to the naturally occurring wetlands are a result of elevating more of the penstock on saddles through the naturally occurring wetlands rather than filling the wetlands to support the penstock. The original proposal was to elevate 190 linear feet of the penstock through the naturally occurring wetlands. The project was modified to elevate 240 linear feet of the penstock through the naturally occurring wetlands.

MINOR IMPACT PROJECT

2000-01172 TAMPOSI, MEREDITH
TEMPLE Unnamed Stream Unnamed Wetland

Requested Action:

Dredge 195 linear feet of a 4 ft. wide intermittent stream, totalling 780 sq. ft. of wetlands impact, for the construction of a 16,000 sq ft. wildlife/ fire protection pond.

Conservation Commission/Staff Comments:

Temple Conservation Commission recommends approval of the project.

APPROVE TIME EXTENSION:

Dredge 195 linear feet of a 4 ft. wide intermittent stream, totalling 780 sq. ft. of wetlands impact, for the construction of a 16,000 sq ft. wildlife/ fire protection pond.

With Conditions:

1. All work shall be in accordance with plans by Keyland Enterprises dated May 16, 2000, as received by the Department on June 09, 2000.
2. All work shall be completed by September 30, 2006. If the proposed project is not completed by September 30, 2006, a new

application and further permitting by the DES Wetlands Bureau will be required.

3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
5. Pond outlet shall be properly rip rapped.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Work shall be done during low flow.

With Findings:

1. This is a minor project per Rule Wt 303.03(l).
2. Most of the area of the pond will be out of NH DES Wetlands jurisdiction in an area of available high water table which when combined with runoff collected from the intermittent stream will provide water, seasonal conditions permitting.
3. The applicant scheduled the pond construction for the Fall of 2005 but was unable to complete the work due to above-average rainfall. As of November 2005, the applicant's contractor felt the ground would still be too saturated to complete the pond construction prior to the permit expiration date. The applicant submitted a written request to the DES Wetlands Bureau requesting that the expiration date of the permit be extended to September 30, 2006.

2002-00588 NH FISH & GAME DEPARTMENT

PLYMOUTH Baker River

Requested Action:

Amend permit to construct pedestrian stairs on each side of the existing permitted cartop access area.

APPROVE AMENDMENT:

Impact 2500 sq ft of jurisdictional banks associated with the Baker River for the construction of a cartop boat access in Plymouth.

With Conditions:

1. All work shall be in accordance with plans by Fish & Game Department dated June, 2002, as received by the Department on July 18, 2002 and amended plans by Fish and Game Department dated January 26, 2006, as received by the Department on February 9, 2006.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls, including a turbidity curtain, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. There shall be no cutting of trees or removal of any stumps from the bank except for the area within which construction of the ramp will take place.
5. The cartop ramp approach shall be crowned so that drainage is directed away from the slope of the ramp.
6. Applicant shall be responsible for the following:
 - a. providing a handicapped parking spot,
 - b. providing a kiosk where state and local agencies can post notices, or rules and restrictions regarding responsible boating and environmental practices.
7. The boat ramp shall be utilized indefinitely as a public access to the Baker River and shall not change in use.
8. All excavated materials shall be placed out of any areas that are within the jurisdiction of the DES Wetlands Bureau.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The proposed amendment does not change the impacts to the bank or river.

**2005-00124 CLAREMONT, CITY OF
CLAREMONT Quabbinnight River**

Requested Action:

Replace existing 72 inch culvert with a 12 foot box culvert lined with river stone on Quabbinnight Brook, Claremont

Conservation Commission/Staff Comments:

No comments submitted from the conservation commission

Inspection Date: 11/08/2005 by Jeffrey D Blecharczyk

APPROVE AMENDMENT:

Replace existing 72 inch culvert with a 12 foot box culvert lined with river stone on Quabbinnight Brook, Claremont

With Conditions:

1. All work conducted in accordance with as-built plans prepared by CMA Engineers dated January 8, 2006, as received by the Department on January 18, 2006.
2. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
3. There shall be no excavation or operation of construction equipment in flowing water.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This project will upgrade an existing culvert crossing and is therefore a minor impact project per Administrative Rule Wt 303.03(c), construction of a permanent structure in a stream that does not meet the criteria of Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the project on November 8, 2005. Field inspection determined additional erosion control measures were required. A field inspection report was provided to the contractor and agent at the time of the inspection.
6. On November 14, 2005, DES requested a monitoring report update for the erosion and sediment controls.
7. November 28, 2005, DES received a monitoring report documenting completion of the project and upgraded erosion and sediment controls.
8. The original crossing was a 6 foot diameter culvert, with associated fill.
9. The original proposal was to construct an open bottom culvert, and create a stream channel bottom utilizing 6-8" rounded river stone to a depth of 12".
10. The completed project, with a box culvert maintained the approved dimension for the stream channel opening, and provided for the placement of 6-8" river stone to a depth of 2 feet.
11. The final project design, as documented in the as-built plans submitted to the Department on January 18, 2006, maintains the original stream bed substrate as previously approved by the Department on March 22, 2005.
12. The Department has determined the final project design maintains the initial intent of creating a more natural stream channel were previously on did not exist.

2005-00669 BOGNASKI, MATTHEW
DEERFIELD Unnamed Wetland

Requested Action:

Dredge and fill a total of 8,800 square feet of wetlands to construct 5 road crossings for development of a 16-lot subdivision on 95 acres, including: Impact #1, 245 square feet for shoulder grading; Impact #2, 1,460 square feet for roadbed; Impact #3, 4,614 square feet and installation of a 4' x 3' x 79' box culvert; Impact #4, 2,383 square feet and installation of a 18" x 61' culvert; Impact #5, 98 square feet for shoulder fill.

Conservation Commission/Staff Comments:

Conservation Commission did not report.

APPROVE PERMIT:

Dredge and fill a total of 8,800 square feet of wetlands to construct 5 road crossings for development of a 16-lot subdivision on 95 acres, including: Impact #1, 245 square feet for shoulder grading; Impact #2, 1,460 square feet for roadbed; Impact #3, 4,614 square feet and installation of a 4' x 3' x 79' box culvert; Impact #4, 2,383 square feet and installation of a 18" x 61' culvert; Impact #5, 98 square feet for shoulder fill.

With Conditions:

1. All work shall be in accordance with revised plans by True Engineering dated 1/18/2006, as received by the Department on 2/8/2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Silt fencing must be removed once the area is stabilized.

11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving alteration of less than 20,000 square feet of non-tidal wetlands in the aggregate that exceed minimum impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The applicant must cross wetlands at some locations on the lot to access buildable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The applicant has eliminated 3 crossings originally applied for and reduced the total impact from 13,272 square feet to the current 8,800 square feet.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. There are no NHI hits for this project, nor does the project cross perennial streams.

2005-00970 NH DEPT OF TRANSPORTATION
SWANZEY Unnamed Stream

Requested Action:

Replace twin 30 in. x 26.5 ft. coverts with twin 30 in. x 37 ft. culverts; remove headwalls and install end sections. NHDOT project #2005M-406-1.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

Inspection Date: 02/08/2006 by Gino E Infascelli

APPROVE AFTER THE FACT:

Approve as an after the fact permit to: Replace twin 30 in. x 26.5 ft. culverts with twin 24 in. x 50 ft. culverts; remove and replace headwalls. NHDOT project #2005M-406-1.

With Conditions:

1. Any future work on this project that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. DES Staff conducted a field inspection of the proposed project on February 8, 2006 found the project completed with an additional 23 feet of culvert than that requested (50 linear feet).
6. Inspection determined this work was necessary as a result of the flooding events of October 2005 and the amount of work was a reasonable solution to rebuild the roadway and provide a safe travel way for the public.
7. It was estimated that the brook flooded about 110 feet in width across the road based on the amount of debris.

2005-01015 CZUBARUK, KATHLEEN
GILFORD Lake Winnepesaukee

Requested Action:

Construct a "U-shaped" docking facility consisting of two 6 ft x 30 ft crib supported piers connected by a 12 ft walkway, construct a 18 ft x 32 ft perched beach with 4 ft wide lake access steps on 214 ft of frontage on Mark Island, Gilford on Lake Winnepesaukee.

APPROVE RECONSIDERATION:

Construct a "U-shaped" docking facility consisting of two 6 ft x 30 ft crib supported piers connected by a 12 ft walkway, construct a 18 ft x 32 ft perched beach with 4 ft wide lake access steps on 214 ft of frontage on Mark Island, Gilford on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Diversified Marine Construction as received May 16, 2005, tree plot plan as received December 28, 2005 and cross section as received by the Department on February 28, 2006.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. The steps installed for access to the water shall be located completely landward of the normal high water line.
7. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
11. The maximum size of cribs shall not exceed 6 feet long by 6 feet wide and of such height as necessary to support the docking structure above the water level. Variance to this condition may be sought if water depth is greater than 6 feet.
12. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
13. Permanent piers shall not extend more than 30 ft from the reference line elevation 504.32
14. The minimum clear spacing between cribs shall be 12 feet.
15. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
16. No stumps shall be removed within 50 feet of the reference line per RSA 483-B.
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d)(3), construction of a docking system exceeding the design and construction criteria discussed at Wt 402.01 for minimum impact docks classified under Wt 303.04.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant completed the submitted the outstanding items originally requested on August 1, 2005, on February 28, 2006.
6. The applicant has 214 feet of frontage along Lake Winnepesaukee.
7. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
8. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Wt 402.12.

2005-02752 MUSIAL SEABROOK LLC
SEABROOK Unnamed Wetland

Requested Action:

Dredge and fill a total of 3,479 sq. ft. of previously disturbed palustrine forested/ scrub-shrub wetlands for commercial lot re-development.

Conservation Commission/Staff Comments:

No comments received from the Seabrook Conservation Commission.

Inspection Date: 02/23/2006 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 3,479 sq. ft. of previously disturbed palustrine forested/ scrub-shrub wetlands for commercial lot re-development.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 10/21/05, as received by the Department on November 16, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. NH DES Wetlands Bureau Coastal staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on February 23, 2005. Field inspection determined wetlands on this lot have been previously disturbed, ditched and graded and are of low value. Runoff from site will be treated prior to Mary's Brook.

MINIMUM IMPACT PROJECT

2005-01184 NH DEPT OF TRANSPORTATION
CHESTERFIELD Unnamed Stream

Requested Action:

Replace twin 36 in. x 58 ft. culverts with twin 36 in. x 68 ft. culverts and replace headwalls impacting 650 sq. ft. of stream and bank (500 sq. ft. temporary) due to significant culvert and headwall deterioration along with the narrow shoulder on the east side.

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

Staff corrected USGS

Inspection Date: 02/08/2006 by Gino E Infascelli

APPROVE PERMIT:

Replace twin 36 in. x 58 ft. culverts with twin 36 in. x 68 ft. culverts and replace headwalls impacting 650 sq. ft. of stream and bank (500 sq. ft. temporary) due to significant culvert and headwall deterioration along with the narrow shoulder on the east side. NH DOT #2005-M405-2.

With Conditions:

1. All work shall be in accordance with plans by NHDOT dated 04/7/05 as received by the Department on May 27,2005.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.
11. The routing of flow from one culvert to another during construct shall be considered as part of the construction sequence.

With Findings:

1. This is a minimum impact project per Rule Wt 303.04(j), not exceeding 10 additional feet of encroachment.
2. The road shoulder is very narrow on the east side and the culvert extension is needed to provide for a safer travel way.
3. DES Staff conducted a field inspection of the proposed project on February 8, 2006. Field inspection determined the project location is approximately 700 north of North Hinsdale Rd. and the proposed work in Hubbard Brook, not an unnamed seasonal stream.
4. The road shoulder is very narrow on the east side and drops off about 10 feet. The 10 feet of additional culvert is needed to widen the shoulder for safety and the upstream headwall shows significant deterioration.
5. The construction sequence should probably divert the water from one culvert to the other and done during low flow to minimize the work in water.

2005-01760 KOCH & KOCH BUILDERS, LARRY KOCH
WEST SWANZEY Unnamed Stream

Requested Action:

Temporary impact of 42 linear feet (21 feet x 2) of stream bank and approximately 1,094 square feet of associated wetlands for the installation of a sewer line to service a proposed condominium development on one (1) lot of a three (3) lot subdivision.

Conservation Commission/Staff Comments:

The Conservation Commission approves of the project conditional on the restoration of the stream channel.

APPROVE AMENDMENT:

Temporary impact of 42 linear feet (21 feet x 2) of stream bank and approximately 1,094 square feet of associated wetlands for the installation of a sewer line to service a proposed condominium development on one (1) lot of a three (3) lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Christopher K. Danforth & Associates, LLC dated July 11, 2005, as received by the DES Wetlands Bureau on August 1, 2005; by A.C. Engineering & Consulting dated October 11, 2005, as received by the DES Wetlands Bureau on December 9, 2005; by Doughty Surveying dated December 2005, as received by the DES Wetlands Bureau on January 5, 2006; and by Christopher K. Danforth & Associates, LLC dated January 5, 2006, as received by the DES Wetlands Bureau on January 5, 2006.
2. This permit is contingent on approval by the DES Water Supply Engineering Bureau, Wells and Water Systems.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on lot 79-6.
5. The deed which accompanies the sales transaction for lot 79-6 in this subdivision shall contain condition #4 of this approval.
6. The owner of lot 79-6-3, as the lot is indicated on the subdivision plans, shall have the wetlands and surface waters on lot 79-6-3 delineated by a Certified Wetland Scientist prior to any future subdivision or alteration of wetlands or surface waters.
7. The deed which accompanies the sales transaction for lot 79-6-3 in this subdivision shall contain condition #6 of this approval.
8. Any future work on lot 79-6-3 or lot 79-6-2 that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
9. The pole ford crossing shall be removed and the stream channel shall be restored in accordance with the applicant's restoration plan.
10. Upon completion of the project, the applicant shall provide photographs of the project site including the restoration area to the DES Wetlands Bureau.
11. No fill shall be done for lot development.
12. All work shall be done during low flow.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
16. Area shall be regraded to original contours following completion of work.
17. Silt fence(s) must be removed once the area is stabilized.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands.
20. Faulty equipment shall be repaired prior to entering jurisdictional areas.
21. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

22. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
23. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The sewer line is required to connect to the municipal sewer system.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The construction of the sewer line will utilize an old logging access (pole ford) that crosses an unnamed stream.
4. DES Staff conducted a field inspection of the project site on September 22, 2005. Field inspection determined that restoration of the site should be addressed as part of the application for the sewer line construction.
5. Upon completion of construction, the pole ford crossing will be removed and the stream bank and bed will be restored per the submitted restoration plan.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
7. The applicant has indicated that a subdivision of the parent tract is proposed which will result in three (3) lots. Lot 79-6-2, as indicated on the subdivision plans, will contain the wetlands impact area. No other wetlands impacts are proposed or will result from this phase of the project.
8. The applicant submitted a Concept Plan of Tax Map 79 Lot 6-2 by Doughty Surveying dated December 2005, and received by the DES Wetlands Bureau on February 8, 2006, proposing the future subdivision of lot 79-6-2 into two lots with two options for access, a common driveway and individual driveways. The applicant has stated that although the common driveway is the preferred alternative, the Town may require individual access for each lot. In this case, the applicant has proposed that the driveway be constructed over the utility easement. This alternative will require permanent wetlands impacts. Any future work on lot 79-6-2 that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

2005-02002 CALDON /HAIGH, JUSTIN/MELISSA
GILMANTON Unnamed Wetland Ayer's Lake

Requested Action:

Restore 367 square feet of previously impacted wetland and retain impacts to 716 square feet of emergent wetland for construction of a fire pond.

Conservation Commission/Staff Comments:

The conservation commission requested a site inspection which was conducted on August 31, 2005.

APPROVE PERMIT:

Restore 367 square feet of previously impacted wetland and retain impacts to 716 square feet of emergent wetland for construction of a fire pond.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants dated November 30, 2005, and revised through March 10, 2006, as received by the Department on March 10, 2006.
2. This permit is contingent on restoration approval by the DES Wetlands Bureau Compliance Section.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be done during periods of non-flow.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows.
2. The applicant has provided a letter from the Gilmanton Fire Chief stating the need for a fire pond in this area.
3. The applicant has agreed to restore all jurisdictional areas within 20 feet of the property line.
4. DES Wetland Bureau Staff conducted a site inspection on August 31, 2005, site inspection determined that an After the Fact application should be submitted.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02091 PARELL, JOHN & NORA
HAMPTON Atlantic Ocean

Requested Action:

Add 100 sq. ft. of large stone rip-rap to reinforce existing seawall, which has settled, within the same footprint along a total of 100 linear feet of frontage at 1038 & 1040 Ocean Blvd.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission "... does not oppose the granting of a wetlands permit for work to repair the existing seawall at 1038 and 1040 Ocean Blvd."

APPROVE PERMIT:

Add 100 sq. ft. of large stone rip-rap to reinforce existing seawall, which has settled, within the same footprint along a total of 100 linear feet of frontage at 1038 & 1040 Ocean Blvd.

With Conditions:

1. All work shall be in accordance with plans by Applicant, as received by the Department on September 06, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. NH DES Wetlands Bureau Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Repairs shall maintain existing size, location and configuration of large stone rip-rap armor with no encroachment toward the beach/ocean whatsoever.
5. Existing vegetation (*Rosa rugosa*) shall be maintained per request of the Hampton Conservation Commission.

2005-02167 BOWDRIDGE, RALPH & ALANA
MIDDLETON Sunrise Lake

Requested Action:

Construct 62 linear ft of retaining wall, implement vegetation/berm plan to divert and slow surface runoff, and replenish an existing

1350 sq ft beach with less than 10 cu yds of sand on 85 ft of frontage on Sunrise Lake in Middleton.

Inspection Date: 11/21/2005 by Chris T Brison

APPROVE PERMIT:

Construct 62 linear ft of retaining wall, implement vegetation/berm plan to divert and slow surface runoff, and replenish an existing 1350 sq ft beach with less than 10 cu yds of sand on 85 ft of frontage on Sunrise Lake in Middleton.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates reviewed January 26, 2006, as received by the Department on January 31, 2006.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. No more than 10 cu yds of sand may be used and all sand shall be located above the normal high water line.
4. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. No fertilizer shall be used within 25 ft of the reference line. Only the use of low phosphate, slow release nitrogen fertilizer is permitted from 250 ft to 25 ft away from the reference line.
8. If proposed retaining wall cause further erosion to beach due to improper stormwater diversions, it shall be subject to removal.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(aa) replenishment of sand on an existing beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02170 GORDON, PETER
RYE Tidal Buffer Zone

Requested Action:

Temporary impact of 700 sq. ft. in previously disturbed (lawn & landscaping) upland tidal buffer zone for the replacement of an existing failed septic system.

DES Wetlands Bureau Emergency Authorization Verification issued September 20, 2005.

Conservation Commission/Staff Comments:

Emergency Authorization Verification issued September 20, 2005.

APPROVE PERMIT:

Temporary impact of 700 sq. ft. in previously disturbed (lawn & landscaping) upland tidal buffer zone for the replacement of an existing failed septic system.

DES Wetlands Bureau Emergency Authorization Verification issued September 20, 2005.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated 9/05, as received by the Department on October 19, 2005.

2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Area shall be regraded to original contours following completion of work.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. DES Wetlands Bureau Coastal staff shall be notified in writing prior to commencement of work and upon its completion.

2005-02760 ROBILLARD, GAIL
SANBORNTON Unnamed Stream

Requested Action:

Retain 60 square feet of fill including two 15-inch x 10 foot culverts in an intermittent stream for access to existing agricultural fields.

APPROVE AFTER THE FACT:

Retain 60 square feet of fill including two 15-inch x 10 foot culverts in an intermittent stream for access to existing agricultural fields.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
2. This permit shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services determines it appropriate.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

2005-02906 OSGOOD, DEBORAH
EAST KINGSTON Unnamed Wetland

Requested Action:

Impact 720 square feet of forested wetland and within the bed and banks of an perennial stream for the installation of 30-inch by 20-foot culvert and construction of a driveway to access a single family residential dwelling on 3.14 acres as part of a 4-lot subdivision.

Conservation Commission/Staff Comments:

No comments were received by the East Kingston Conservation Commission

APPROVE PERMIT:

Impact 720 square feet of forested wetland and within the bed and banks of an perennial stream for the installation of 30-inch by 20-foot culvert and construction of a driveway to access a single family residential dwelling on 3.14 acres as part of a 4-lot subdivision.

With Conditions:

1. All work shall be in accordance with following plans by Civil Construction Management Inc., dated November 2005:

- a.) The Proposed Driveway Crossing Site Plan, as received by the Department on December 5, 2005;
- b.) The Site Plan, as received by the Department on February 27, 2006;
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau;
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback;
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval;
6. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau;
7. Work shall be done during no flow conditions;
8. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until the area is stabilized and suspended particles have settled and the water at the work area has returned to normal clarity;
9. Machinery shall not be located within surface waters. All work must be conducted from the top of the bank;
10. Machinery shall be staged and refueled in upland areas;
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in their use;
12. The temporary cofferdam or other water control device shall be constructed prior to commencing work on a substructure located within surface waters;
13. All work associated with construction (and removal) of the temporary cofferdam or other water control device shall be designed and supervised by a professional engineer;
14. Temporary cofferdams or other water control devices shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam or other water control device is fully effective, confined work may proceed without restriction;
15. Temporary cofferdams or other water control devices shall be completely removed immediately following maintenance or repair work;
16. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands, lined with hay bales or other acceptable sediment trapping liners, and set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer;
17. Any material removed from the bed of the surface water to facilitate installation of the temporary cofferdam or other water control device shall be dewatered in upland areas discharging to sedimentation basins lined with erosion and siltation controls to prevent water quality degradation and disposed of outside the jurisdiction of the DES Wetlands Bureau;
18. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700;
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), projects that alter the course of or disturb less than 200 linear feet of a perennial nontidal stream.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as the impacts are necessary to access buildable uplands.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the impacts will occur at the narrowest portion of wetland and a 30-inch culvert will be installed to maintain undisturbed flow of the stream.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The NH Natural Heritage Bureau (NHNHB) has record of the following species and natural communities within the vicinity of the project site: one rare invertebrate species, Eastern Pond Mussel (*Ligumia nasuta*); and three natural communities: Red maple-sensitive fern swamp; Swamp white oak floodplain forest; and Temperate minor river floodplain system.
6. DES review of this application finds that none of the NHNHB identified species or natural communities will be adversely impacted as a result of the project, as the proposed properties will offer a wooded buffer between the development and nearby

pond. In addition, the proposed culvert will not impede flow of the stream.

2005-02965 MCLAUGHLIN, GEORGE
SANDOWN Unnamed Wetland

Requested Action:

Impact 1,047 square feet of forested wetland for the installation of a 12-inch culvert for the construction of a driveway to access a single family residential lot on 2.67 acres as part of a 3-lot subdivision of 13.84 acres.

Conservation Commission/Staff Comments:

The Sandown Conservation Commission signed the PBN.

APPROVE PERMIT:

Impact 1,047 square feet of forested wetland for the installation of a 12-inch culvert for the construction of a driveway to access a single family residential lot on 2.67 acres as part of a 3-lot subdivision of 13.84 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Cornerstone Survey Associates, Inc.:
 - a.) The Topography Plan (Sheet 2 of 2) dated July 2005, as received by the Department on February 12, 2006;
 - b.) The Septic System Design Plan dated August 22, 2005, as received by the Department on December 20, 2005.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Work shall be done during seasonal low flow conditions only.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. The culvert inlet and outlet shall be laid at present grade.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as the impacts are necessary to access buildable uplands.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the wetlands will be crossed at the narrowest portion.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00283 LAMONTAGNE, TOHOMAS & TERRI
NEW CASTLE Little Harbor

Requested Action:

Retain 3,000 square feet of impact within the 100-foot tidal buffer zone for the construction of a single family dwelling on 0.67 acres with 155 feet of shoreline on Little Harbor.

Conservation Commission/Staff Comments:

The New Castle Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE AFTER THE FACT:

Retain 3,000 square feet of impact within the 100-foot tidal buffer zone for the construction of a single family dwelling on 0.67 acres with 155 feet of shoreline on Little Harbor.

With Conditions:

1. All work shall be in accordance with plans by Millette, Sprague & Colwell, Inc. dated November 19, 2001 and revised December 5, 2001, as received by the Department on February 14, 2006.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.

FORESTRY NOTIFICATION

2006-00138 PETER & GARY LLC
WEBSTER Unnamed Stream

COMPLETE NOTIFICATION:
Webster Tax Map 1, Lot# 2 & 11

2006-00211 HENRY, GERALD
LANCASTER Unnamed Stream

2006-00415 RAWLS, FLORENCE
DUBLIN Unnamed Stream

COMPLETE NOTIFICATION:
Dublin Tax Map 3, Lot# 5

2006-00416 GROSS, DONALD & KAREN
ANDOVER Unnamed Stream

COMPLETE NOTIFICATION:
Andover Tax Map 20, Lot# 771,144

2006-00417 PHELPS, JAMES
DANBURY Unnamed Stream

COMPLETE NOTIFICATION:
Danbury Tax Map 410, Lot# 62

2006-00418 KIMBALL, DANA/PAULA
CANTERBURY Unnamed Stream

COMPLETE NOTIFICATION:
Canterbury Tax Map 9, Lot# 44

EXPEDITED MINIMUM

2005-01884 WEARE SCHOOL DISTRICT
WEARE Unnamed Wetland

Requested Action:

Dredge and fill 2,985 square feet of a palustrine emergent seasonally flooded excavated wetland to construct an access road for redevelopment of an existing school site.

APPROVE AMENDMENT:

Dredge and fill 2,985 square feet of a palustrine emergent seasonally flooded excavated wetland to construct an access road for redevelopment of an existing school site.

With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering Inc. dated July 18, 2005, as received by the Department on August 15, 2005, and plans dated July 18, 2005, as received by the Department on October 12, 2005.
2. This permit is contingent on approval of the proposed project by the DES Site Specific Program.
3. The applicant shall notify, in writing, the DES Wetlands Bureau and the Weare Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the immediate and upgradient areas are stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
8. Work shall be done during low flow.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

11. Work shall not result in the release of turbid water or an increase in runoff to abutting properties.
12. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(f), projects involving less than 3,000 square feet in swamps and wet meadows that are not in prime wetlands.
2. This permit is contingent on approval of the proposed project by the DES Site Specific Program.
3. In 1994, the DES Wetlands Board approved a permit to dredge and fill 150 linear feet of the same wetland in the same general area for installation of culverts in the drainage ditch with the condition that any future alteration of wetlands on the property would require a new application.
4. The applicant has demonstrated need for the wetland impact. The impact is required as part of the redevelopment of an existing school site to construct an access road for school buses and to reduce traffic congestion on Route 114.
5. The project will impact a palustrine emergent seasonally flooded excavated wetland which presently functions to retain and divert stormwater runoff from the property.
6. Prior to project completion, the applicant requires dredging and filling of the wetland for construction of a temporary roadway. This construction also requires installation of a temporary culvert in the wetland. The location of these activities, as drawn on the Phasing Plan submitted by Appledore Engineering, Inc. on July 18, 2005, as received by the Department on August 18, 2005, are covered under the permit so long as the activities occur in the same area proposed for the permanent impact. The permit is contingent on, however, the DES Wetlands Bureau receiving and approving of a detailed scaled plan of the temporary crossing and the associated temporary culvert.
7. On October 12, 2005, the DES Wetlands Bureau received plans for construction of the temporary roadway and associated culvert. The applicant has demonstrated that the activities will occur in the same area proposed for the permanent impacts. The proposed culvert will be permanent and part of the overall closed drainage system for the project.
8. Runoff from the site will be occurring to the same wetland location pre- and post- construction. Presently, water is collected in a series of catch basins and diverted to the wetland via a pipe drain; no method of water quality treatment exists. The project plans propose a system by which runoff is collected via a drainage system and diverted to an underground detention basin. Water will be released from this basin to a 161-foot water quality treatment swale prior to entering the wetland.
9. There are approximately 101,200 square feet of additional impervious area post-construction. A study of the pre- and post-development runoff rates indicates a decrease in the peak runoff rates to the wetland from the site. This decrease is attributed to the construction of the underground detention basin.

2005-02159 CONNOLLY, MARK
NEW CASTLE Piscataqua River

Requested Action:

Impact 442 square feet with the 100-foot tidal buffer zone (to include 241 square feet of temporary impact and 201 square feet of permanent impact) for the remodeling/reconstruction of a single family dwelling and wood deck on 3.35 acres with approximately 268 feet of shoreline frontage on the Piscataqua River.

Conservation Commission/Staff Comments:

The New Castle Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 442 square feet with the 100-foot tidal buffer zone (to include 241 square feet of temporary impact and 201 square feet of permanent impact) for the remodeling/reconstruction of a single family dwelling and wood deck on 3.35 acres with approximately 268 feet of shoreline frontage on the Piscataqua River.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated August 8, 2005 and revised on September 8, 2005, as received by the Department on September 16, 2005.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as these impacts are necessary to reconstruct the existing dwelling.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the existing dwellings footprint will be used.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02250 LYNCH, DANIEL
COLEBROOK Unnamed Pond

Requested Action:

Deny permit request to dredge and fill approximately 3,000 square feet of wetlands to repair existing spillway, rip-rap dam, and remove vegetation from pond area.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit request to dredge and fill approximately 3,000 square feet of wetlands to repair existing spillway, rip-rap dam, and remove vegetation from pond area.

With Findings:

1. A request for additional information dated October 19, 2005, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2005-02303 ONEIL, TIM/BRENDA
DANVILLE Unnamed Wetland

Requested Action:

Request to amend original impact of 2,510 square feet to 2,820 square feet of wet meadow to construct a roadway and cul-de-sac to access an 8-lot residential subdivision per the request of the Town of Danville.

Conservation Commission/Staff Comments:

The Danville Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE AMENDMENT:

Amend original impacts of 2,510 square feet to 2,820 square feet of wet meadow to construct a roadway and cul-de-sac to access an 8-lot residential subdivision.

With Conditions:

1. All work shall be in accordance with plans by Sublime Civil Consultants, Inc. dated September 6, 2005 and revised through January 23, 2006, as received by the Department on January 24, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for any other construction related activities.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Rockingham Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Portsmouth, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Work shall be done during low flow conditions.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as they are requesting to access buildable upland.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the associated impacts will be to expand an existing driveway in current use.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Per the request of the Town of Danville, the applicant revised the layout of the proposed roadway thereby requesting to amend the impact to 2,820 sq. ft. from 2,510 sq. ft.

2005-02887 BURD, RONALD
DOVER Unnamed Wetland

Requested Action:

Temporarily impact 110 sq. ft. of wetland for the installation of a foundation drain for a single family residence.

Conservation Commission/Staff Comments:
Con. Com. signed Expedited Application.

APPROVE PERMIT:

Temporarily impact 110 sq. ft. of wetland for the installation of a foundation drain for a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Ronald Burd dated October 10, 2005, as received by the Department on December 2, 2005.
2. There shall be no further alteration to wetlands or surface waters without amendment of the wetlands permit.
3. Temporary work areas within wetlands shall be restored to original condition.
4. Applicant shall provide two photographic documentation reports of restoration of the wetland within 20 days of projected completion of work and after one complete growing season.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
netting and pinning on slopes steeper than 3:1.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. Silt fencing must be removed once the area is stabilized.

2005-02936 BOETTCHER, PETER
LACONIA Lake Winnepesaukee

Requested Action:

Repair an existing 32 ft by 34 ft boathouse supported by full cribs on 46.5 ft of frontage on Lake Winnepesaukee, Laconia.

Conservation Commission/Staff Comments:

Con Com submitted comments on which lot and plans are not suitable.

APPROVE PERMIT:

Repair an existing 32 ft by 34 ft boathouse supported by full cribs on 46.5 ft of frontage on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on February 6, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to

performing any repair.

5. Repair shall maintain existing size, location and configuration.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.

7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.

8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.

9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

11. Existing rocks which have fallen shall be used for repair. No Additional Rocks.

12. This permit does not allow for maintenance dredging.

13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-00044 LUCIER, WAYNE
SALEM Unnamed Wetland

Requested Action:

Temporarily impact 1,600 square feet of forested wetland for the installation of underground utility lines for a single family residential dwelling on 7.41 acres.

Conservation Commission/Staff Comments:

The Salem Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact 1,600 square feet of forested wetland for the installation of underground utility lines for a single family residential dwelling on 7.41 acres.

With Conditions:

1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated December 20, 2005 and revised through February 7, 2006, as received by the Department on February 16, 2006;

2. DES staff shall be notified in writing prior to commencement of work and upon its completion.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau;

4. Work shall be conducted during seasonal low flow conditions;

5. Appropriate siltation, erosion or turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized;

6. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700;

7. Any small trees/saplings and shrubs shall be removed with intact soil blocks and replaced after the installation of the utilities;

8. All disturbed areas shall be regraded to original contours and stabilized within 72 hours following completion of work using seed and mulch during the growing season, or if not within the growing season, by mulching with tack or netting and pinning;

9. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands bureau will require a new application and further permitting by the Bureau;

10. Within 10 calendar days following the completion of the project, photographs shall be submitted to DES depicting the areas

where the impact occurred. Mount or print dated and labeled photos on 8-1/2 " x 11 " sheets of paper and mail or send electronically to the DES Wetlands Bureau;

11. The agent or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year;

12. The contractor responsible for the work shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the restoration areas during construction and during the early stages of vegetative establishment.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as dwelling can only be served by underground water and other utilities.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the original request to impact 2,700 square feet was reduced to 1,600 square feet by excavating a smaller area.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-00274 PASTURE VIEW LLC
CONWAY Unnamed Stream**

Requested Action:

Dredge and fill 1,735 square feet of wetlands along approximately 49 linear feet of intermittent stream to install two embedded culverts (36-inch x 25-foot and 36-inch x 19-foot) for driveway access to two lots of a 4 lot subdivision.

APPROVE PERMIT:

Dredge and fill 1,735 square feet of wetlands along approximately 49 linear feet of intermittent stream to install two embedded culverts (36-inch x 25-foot and 36-inch x 19-foot) for driveway access to two lots of a 4 lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Thaddeus Thorne Surveys Inc. dated February 06, 2006, as received by the Department on February 09, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Work shall be done in low flow conditions.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(n), alteration or disturbance of less than 50 linear feet of intermittent stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. Proposed culverts will be embedded.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2006-00423 FRALICK, WILLIAM
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Com

COMPLETE NOTIFICATION:
Gold Dredge

2006-00424 MATHESON, FREDERICK
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

COMPLETE NOTIFICATION:
Gold Dredge

2006-00425 ATOMANUK, JAMES
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

COMPLETE NOTIFICATION:
Gold Dredge

2006-00427 TEAL, PETER
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc: Bath Con Comm

COMPLETE NOTIFICATION:

Gold Dredge

2006-00441 TAYLOR, JARROD
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc: Bath Con Comm

APPROVE PERMIT:

Gold Dredge

2006-00443 SAWYER, JOHN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc:Bath Con Comm

APPROVE PERMIT:

Gold Dredge

2006-00458 LEBLANC, EDMUND
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc: Bath Con Comm

APPROVE PERMIT:

Gold Dredge

TRAILS NOTIFICATION

2006-00189 CELANI, JONATHAN
CLAREMONT Unnamed Stream

COMPLETE NOTIFICATION:

Claremont TM/Lot# 73/11,62/5 & 6, 42/1, 51/4, 121/60

LAKES-SEASONAL DOCK NOTIF

2006-00413 STEVENS, GERARD
LACONIA Unnamed Wetland Winnepesaukee

COMPLETE NOTIFICATION:

Seasonal Dock - Tax Map# 117 Lot# 1-4-5
Block# 234 Lake Winnepesaukee

2006-00426 PARKER, JAMES & JUDY
HARRISVILLE Unnamed Wetland Russell Reservoir

COMPLETE NOTIFICATION:

Seasonal Dock Harrisville NH Tax Map# 41
Lot# 18 Russell Reservoir

2006-00459 HERRINGTON, LEE
CENTER HARBOR Unnamed Wetland Squam Lake

COMPLETE NOTIFICATION:

Seasonal Dock Tax Map# 7 Lot3 12.00
Center Harbor NH - Squam Lake

PERMIT BY NOTIFICATION

2005-02309 THE MALLETT COMPANY INC, MICHAEL MALLETT
JACKSON Unnamed Stream

Requested Action:

Deny permit to dredge and fill approximately 190 linear feet of jurisdictional drainage for damaged culvert replacement and dredge approximately 200 linear feet of jurisdictional drainage.

PBN DISQUALIFIED:

Deny permit to dredge and fill approximately 190 linear feet of jurisdictional drainage for damaged culvert replacement and dredge approximately 200 linear feet of jurisdictional drainage.

With Findings:

1. A request for additional information dated October 07, 2005, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2006-00383 BROWN TRUST, MARGARET
ALTON Lake Winnepesaukee

Requested Action:

Remove existing 6 ft x 30 ft piling pier and two ice clusters and install a 6 ft x 40 ft seasonal dock in differnet location anchored to a 3 ft x 7 ft cement pad on 210 ft of frontage in Alton on Lake Winnepesaukee.

PBN DISQUALIFIED:

Remove existing 6 ft x 30 ft piling pier and two ice clusters and install a 6 ft x 40 ft seasonal dock in differnet location anchored to a 3 ft x 7 ft cement pad on 210 ft of frontage in Alton on Lake Winnepesaukee.

2006-00429 HAYES, JEFFREY
JACKSON Unnamed Stream

Requested Action:

Dredge and fill approximately 75 square feet of wetlands along 15 linear feet of intermittent stream to install a 30-inch x 15-foot culvert extension for driveway expansion for access to a single family residential lot of approximately 30 acres.

PBN IS COMPLETE:

Dredge and fill approximately 75 square feet of wetlands along 15 linear feet of intermittent stream to install a 30-inch x 15-foot culvert extension for driveway expansion for access to a single family residential lot of approximately 30 acres.